

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled VP22 PROTEINS AND USES THEREOF, the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application No. _____.

☒ was described and claimed in PCT International Application No. WO98/42742, filed on October 1, 1998, and as amended under PCT Article 19 on _____ (if applicable).

☐ and was amended on _____ (if applicable).

☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior pending application, I further acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>9705903.4</u>	<u>Great Britain</u>	<u>21 March 1997</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
--------------------	-------------

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United

States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

<u>WO 98/42742</u>	<u>1 October 1998</u>	<u>Published</u>
(Application No.)	(Filing Date)	(Status: patented, Pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Phogen Limited as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
BEAN, Gregory V.	36,448	MAURER, Gregory L.	43,781
BECKER, Mark L.	31,325	MEYER, Joel R.	37,677
CALDWELL, Lisa M.	41,653	NOONAN, William D.	30,878
CAMPBELL, James	19,978	PETERSEN, David P.	28,106
CONINGSBY, Donna J.	41,684	POLLEY, Richard J.	28,107
DeGRANDIS, Paula A.	43,581	SCOTTI, Robert F.	39,830
GIRARD, Michael P.	38,467	SLATER, Stacey C.	36,011
JAKUBEK, Joseph T.	34,190	STEPHENS JR., Donald L.	34,022
JOHNSON, Michelle L.	36,352	STUART, John W.	24,540
JONES, Michael D.	41,879	VANDENBERG, John D.	31,312
KLARQUIST, Kenneth S.	16,445	WHINSTON, Arthur L.	19,155
KLITZKE II, Ramon A.	30,188	WIGHT, Stephen A.	37,759
HARDING, Tanya M.	42,630	WINN, Garth A.	33,220
LEIGH, James S.	20,434		

Address all telephone calls to William D. Noonan, M.D. at telephone number (503) 226-7391.

Address all correspondence to:

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, OR 97204-2988

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor: Gillian Daphne Elliott

Inventor's Signature

G Elliott

18/8/99
Date

Residence: Oxted, Surrey, United Kingdom

Citizenship: United Kingdom

Post Office Address: Flat 4, 123 Station Road East, Oxted Surrey RH8 0QT

formerly of:

now of: 2 The Brownings, Edenbridge, Kent TN8 6JF.

X G Elliott X

18/8/99